

**ZB# 02-06**

**In Kee Hong  
(Hong's Karate)**

**35-1-48**

Prelim.

Jan. 28, 2002

NOD needs to  
be amended  
to include  
pre-standing  
signs also. OK.

Public Hearing:

Feb. 25, 2002.

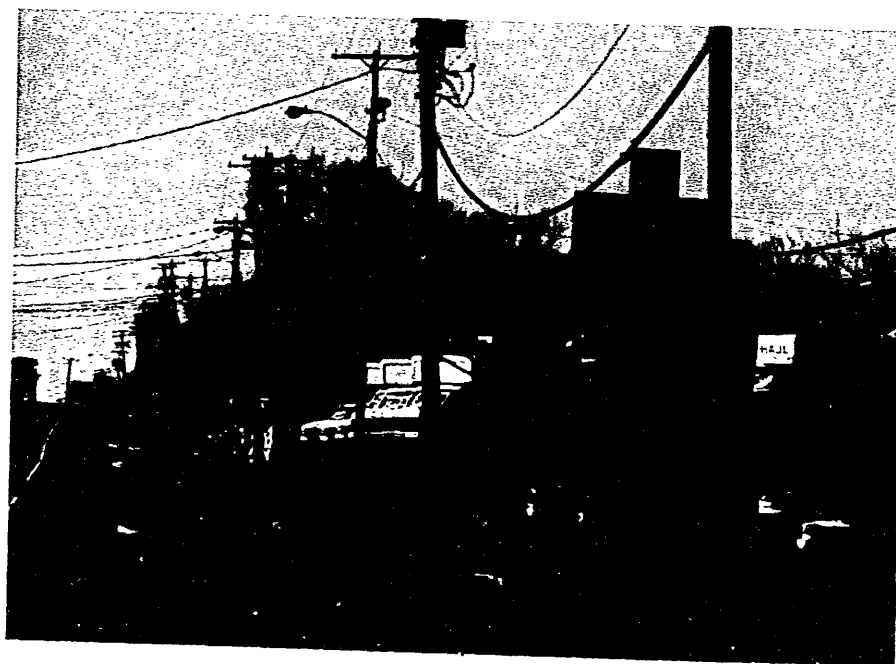
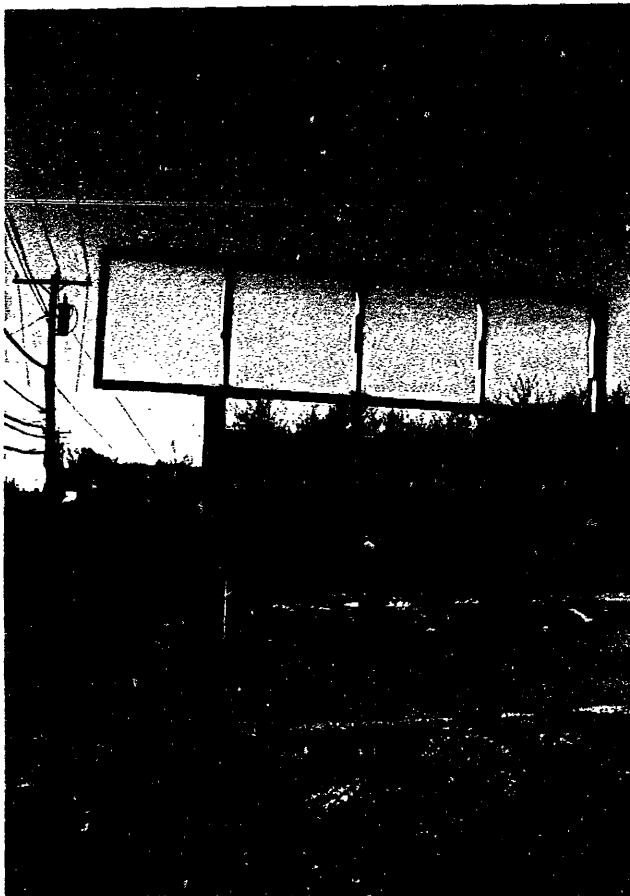
Variances

Granted.

Refund \$398.00

#02-06 - Hong, In Kee - Hong's Karate

Area (Sign) 35-1-48.



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Hong, In Kee  
\_\_\_\_\_  
\_\_\_\_\_

FILE# 02-06

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

INTERPRETATION: \$150.00

AREA X Sign

USE \_\_\_\_\_

APPLICATION FOR VARIANCE FEE ..... \$ 150.00

*paid #1921  
2/21/02*

ESCROW DEPOSIT FOR CONSULTANT FEES ..... \$ 500.00

*paid #1923  
2/21/02*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 1/28/02 3 ..... \$ 13.50

2ND PRELIMINARY- PER PAGE ..... \$ \_\_\_\_\_

3RD PRELIMINARY- PER PAGE ..... \$ \_\_\_\_\_

PUBLIC HEARING - PER PAGE 2/25 4 ..... \$ 18.00

PUBLIC HEARING (CONT'D) PER PAGE ..... \$ \_\_\_\_\_

TOTAL ..... \$ 31.50

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 1/28/02 ..... \$ 35.00

2ND PRELIM. .... \$ \_\_\_\_\_

3RD PRELIM. .... \$ \_\_\_\_\_

PUBLIC HEARING. 2/25 ..... \$ 35.00

PUBLIC HEARING (CONT'D) ..... \$ \_\_\_\_\_

TOTAL ..... \$ 70.00

MISC. CHARGES:

..... \$ \_\_\_\_\_  
TOTAL ..... \$ 101.50

LESS ESCROW DEPOSIT ..... \$ 500.00

(ADDL. CHARGES DUE) ..... \$ \_\_\_\_\_

REFUND DUE TO APPLICANT ..... \$ 398.50

Date 14th 11, 2001, .....

# TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553**

TO Hong, In Kee DR.

P.O. Box 914 Third St.  
Woodbridge, NY 12789

[illegible]

SONG HUI HONG  
IN KEE HONG  
P.O. BOX 914 THIRD STREET  
WOODRIDGE, NY 12789

50-1292/219  
14033203

1913

DATE 2/21/02

PAY TO THE  
ORDER OF

Town of New Windsor  
Five hundred no

\$ 500.00

DOLLARS

**COMMUNITY  
BANK**  
OF SULLIVAN COUNTY

4438 State Route 42, P.O. Box 1258  
Monticello, NY 12701-8258

MEMO

Zoning # 02-06

*[Signature]*

⑆021912928⑆1403⑆3203 ⑆1913

SONG HUI HONG  
IN KEE HONG  
P.O. BOX 914 THIRD STREET  
WOODRIDGE, NY 12789

50-1292/219  
14033203

1921

DATE

2/21/02

\$ 150.00

DOLLARS

PAY TO THE  
ORDER OF

Town of New Windsor  
One hundred Fifty and

**COMMUNITY  
BANK**  
OF SULLIVAN COUNTY

4438 State Route 42, P.O. Box 1258  
Monticello, NY 12701-8258

# 02-06

*[Signature]*

⑆1921

**Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611**

**RECEIPT  
#186-2002**

**02/21/2002**

#02-06  
**Hong, Song Hui  
P O Box 914  
Woodridge, NY 12789**

**Received \$ 150.00 for Zoning Board Fees on 02/21/2002. Thank you for  
stopping by the Town Clerk's office.**

**As always, it is our pleasure to serve you.**

**Deborah Green  
Town Clerk**

NEW WINDSOR ZONING BOARD OF APPEALS

35-1-48

file

In the Matter of the Application of

**HONG, IN KEE/HONGS KARATE SCHOOL**

MEMORANDUM OF  
DECISION GRANTING  
AREA VARIANCE

#02-06.

**WHEREAS, IN KEE HONG OF HONGS KARATE SCHOOL**, 159 East Broadway, Monticello, New York 12701, has made application before the Zoning Board of Appeals for a 64 sq. ft. area variance for a freestanding sign at Hong's Karate School, 280 Windsor Highway in a C zone; and

**WHEREAS**, a public hearing was held on the 25th day of February 25 2002 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared for this proposal; and

**WHEREAS**, there was one spectator appearing at the public hearing; and

**WHEREAS**, the one spectator spoke in favor of the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a commercial property located in a neighborhood of commercial properties on a busy State highway.

(b) The Applicant seeks a variance for a freestanding sign to replace the prior freestanding sign.

(c) The sign will be internally lit, not flashing and not neon. The sign will not interfere with the view of motorists on the adjacent highway.

(d) The sign is lower and smaller than many other signs on the same highway.



- (e) The size of the sign is the smallest size that would allow the view by motorists passing on the adjacent highway.

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variance requested is substantial in relation to the Town regulations, but nevertheless is warranted.
4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance as previously stated is reasonable in view of the size of the building, its location, and its appearance in relation to other buildings in the neighborhood.
8. The interests of justice will be served by allowing the granting of the requested area variance.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for 64 sq. ft. sign area variance for a freestanding sign for Hong's Karate School at the above location, in a C zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: April 22, 2002.

  
Chairman

Date ..... 3/4/02 .....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO ..... DR.

.....  
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
3/25/02	Zoning Board Mtg		75 00	
	Misc - 3			
	Handy - 1			
	Caldwell - 3			
	Summit-on-Hudson - 3			
	Strategic Real Estate - 2			
	Foley - 4			
	Curtain - 4			
	Diloco - 3			
	Searing - 9			
	Hong - 4		175 56	
	Delaney - 3		250 00	
	39			

HONG, IN KEE

MR. TORLEY: Request for 64 square foot sign variance for freestanding sign at new location for Hong's Karate School, 280 Windsor Highway (formerly Uncle Chu's) in C zone.

Mr. Hong appeared before the board the board for this proposal.

MR. HONG: Hello, gentlemen, my name is In Kee Hong, I was here last month and today, I brought pictures to show you this existing extending building being granted from the township ten years ago and I want to replace the sign for our Hong's Karate sign on that existing--

MR. KRIEGER: So the proposed sign would be the same size as the old sign was?

MR. HONG: That is correct, there's nothing different and Route 32, as you know, it's a very busy and fast road and this is the information that is just next to my property that have a billboard sign.

MR. HONG: And this is that road.

MR. BABCOCK: Mr. Chairman, maybe you can recall at the preliminary meeting, we were a little confused whether there was a wall sign or a freestanding sign, so we have found out now that it's a freestanding so that's why the 64 square feet has come up. As you remember, Mr. Chairman, you asked me if he needed that and I said no, when it goes against the wall, he wouldn't need that, so we were a little confused of where he was putting the sign.

MR. TORLEY: Does the existing, this variance for the existing sign, if he's not increasing the area of the sign, isn't this covered?

MR. BABCOCK: Well, I have not seen that, okay, so nobody's brought that to me and I don't have it in my file.

MR. TORLEY: This is a 1978 variance?

MR. BABCOCK: Well, we have to ask Mr. Krieger.

MR. KANE: For the record, 19 letters went out from the assessor's office.

MR. BABCOCK: Mr. Chairman, when we look at a variance, I mean, and it's totally up to this board, when we look at a variance, the variance stands on everything, you know, everything that's submitted to the board, as far as a variance when you're changing from one thing to another.

MR. TORLEY: The previous owner at one time asked for a variance, they actually got a legal sign there. Anyone in the audience who wishes to speak on this matter? So this sign is going to be replaced by an internally lit, not neon sign?

MR. HONG: Not neon but yes, internally lit.

MR. TORLEY: Will not interfere with the motorists' sight line?

MR. HONG: Not at all.

MR. KANE: I know that sign very well, I worked across the street for years, it does not interfere.

MR. KRIEGER: It's lower and smaller than many other signs on the roadway?

MR. HONG: I think so.

MR. TORLEY: At this point, we'll open it up to the public. Sir, do you wish to speak on this?

MR. KUPRYCH: Steve Kuprych, I'm across the highway from Mr. Hong, we have a business there. Since he purchased the building, he has made improvements on it and I don't see on that busy highway why he shouldn't be able to do that without any problem. That sign that's there now is an eyesore, so what he plans on doing I'm sure will be an asset to the busy highway.

MR. KANE: Thank you very much, Steve.

MR. KRIEGER: Mr. Kuprych, you are familiar with the, obviously familiar with the conditions on Route 32?

MR. KUPRYCH: Yes, I am.

MR. KRIEGER: In your opinion, would he need this sign to actual advertise his business, considering the traffic and the speed of the traffic on the roadway?

MR. KUPRYCH: I can speak on I know personally because my sign is code, what's allowable 64 total, it's not large enough. So the sign that's on the pool, the pool company, his particular sign, those signs I think is what should be the norm, they should be larger because at that speed limit at 45 miles an hour, you need something fairly large to catch the people's eye.

MR. KRIEGER: As a practical matter, you would consider this the minimum size from what's practically required?

MR. KUPRYCH: I would say.

MR. KRIEGER: Thank you.

MR. TORLEY: Anyone else wish to speak in this case? I'll close the public hearing and open it back up to the members of the board. Gentlemen, do you have any questions?

MR. REIS: No, sir.

MR. KANE: So, we determine that we're going to do the variance anyway because of the sign change?

MR. TORLEY: We'll make sure everything is covered by doing it from scratch.

MR. BABCOCK: Back in '78, they did square footage. Today, it's no longer square footage, there's also a height and the size requirements.

MR. KRIEGER: I'm sure that variance would have covered it.

MR. TORLEY: Gentlemen, entertain a motion.

MR. RIVERA: I move that we grant Mr. Hong the requested variance for the freestanding sign at the Hong's Karate School, 208 Windsor Highway.

MR. KANE: Second the motion.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

**DATE:** 1/24/02

**Revised:** 2/20/02

**APPLICANT:** In Kee Hong  
159 East Broadway  
Monticello, NY 12701

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:** 1/24/02

**FOR :** Hong's Karate School

**LOCATED AT:** 280 Windsor Highway

**ZONE:** C      **Sec/Blk/Lot:** 35-1-48

**DESCRIPTION OF EXISTING SITE:** Commercial Building (formerly Uncle Chus)

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

1. 48-18, H(1a) (1) Freestanding sign, 64sqft total all faces proposed sign is 128sqft. A variance of 64sqft is required.

  
**BUILDING INSPECTOR**

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: C      USE:

SIGN:

FREESTANDING: 1-64sqft

1-128sqft

64sqft

HEIGHT:

WIDTH:

WALL SIGNS:

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP



OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK

*Prelim.*

*Jan. 28, 2002*

*#02 - 06.*

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 1/24/02

APPLICANT: In Kee Hong  
159 East Broadway  
Monticello, NY 12701

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 1/24/02

FOR : Hong's Karate School

LOCATED AT: 280 Windsor Highway

ZONE: C      Sec/Blk/Lot: 35-1-48

DESCRIPTION OF EXISTING SITE: Commercial Building (formerly Uncle Chus)

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 48-18\_H(1b) Maximum size of façade sign shall be 2.5ft high and 10ft wide. Proposed sign of 4ftx16ft requires a variance of 1.5ft and 6ft.

*Free standing*

*Thomas J. Kynher*  
BUILDING INSPECTOR

**PERMITTED**

**PROPOSED OR  
AVAILABLE:**

**VARIANCE  
REQUEST:**

**ZONE: C      USE:**

**SIGN:**

**FREESTANDING:**

**HEIGHT:      2.5ft**

**4ft**

**1.5ft**

**WIDTH:      10ft**

**16ft**

**6ft**

**WALL SIGNS:**

**TOTAL ALL SIGNS:**

**FEET FROM ANY LOT LINE:**

**cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP**

RECEIVED

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
 YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

JAN 24 2002

BUILDING DEPARTMENT

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final Certificate of Occupancy to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

~~RECEIVED~~  
~~DEC 1 2001~~  
~~BUILDING DEPARTMENT~~

FOR OFFICE USE ONLY:  
 Building Permit #: 2002- 49

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

☒ Owner of Premises In Kee Hong

☒ Address Po Box 914, Woodridge, NY 12788 Phone # (845) 794-3755

☒ Mailing Address 159 E. Broadway, Monticello, NY 12701 Fax # (845) 794-1874

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_

(Name and title of corporate officer) \_\_\_\_\_

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(N,S,E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

X 3. Tax Map Description: Section 35 Block 1 Lot 48

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

X 5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other \_\_\_\_\_

X 6. Is this a corner lot? No. Main St. on Rt. 32. 4'x16' SIGN on wall

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_

**PAID**

\$50 CH# 1835

/ /  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors Frank Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

X \_\_\_\_\_  
(Signature of Applicant)

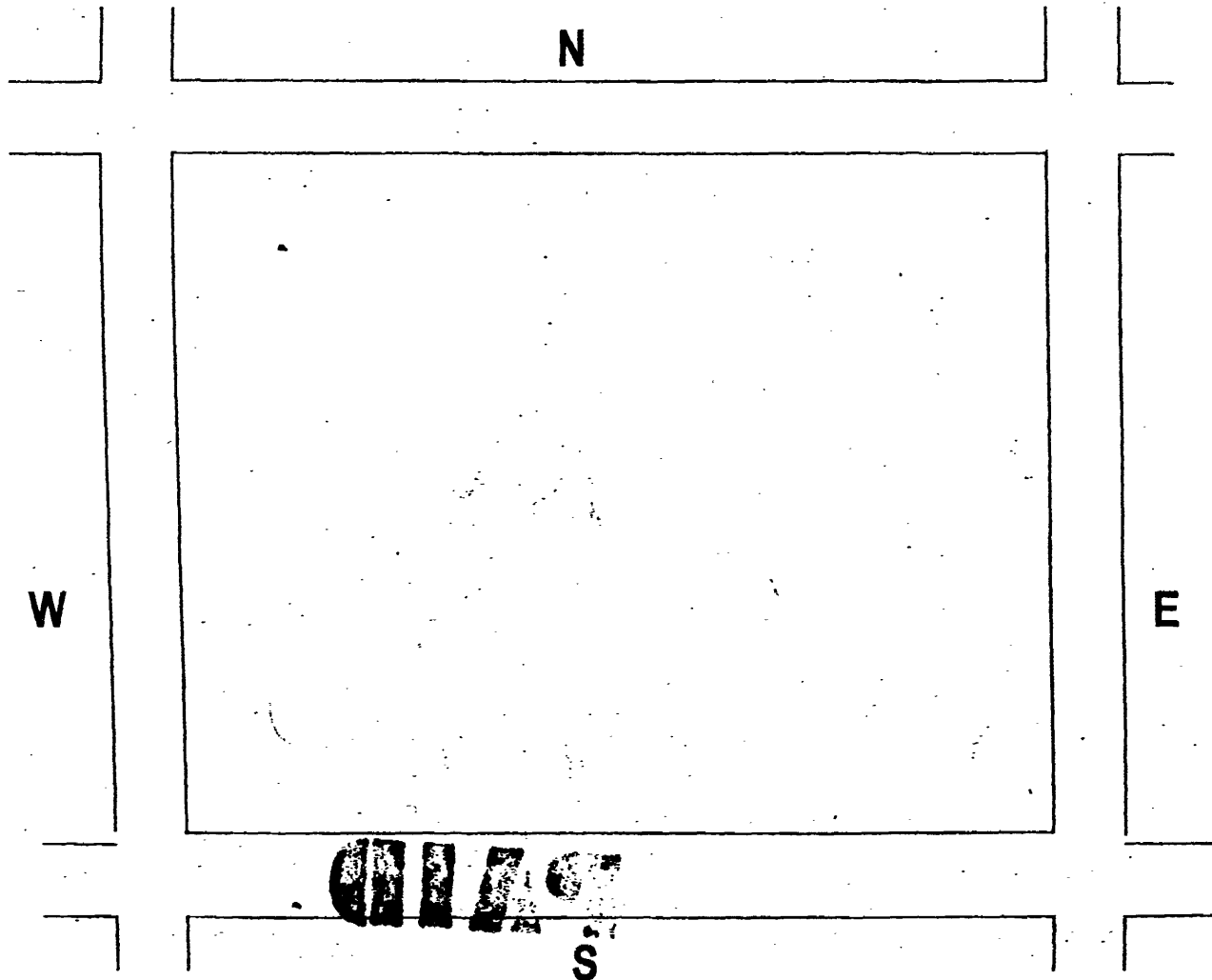
Same as front  
\_\_\_\_\_  
(Address of Applicant)

X \_\_\_\_\_  
(Owner's Signature)

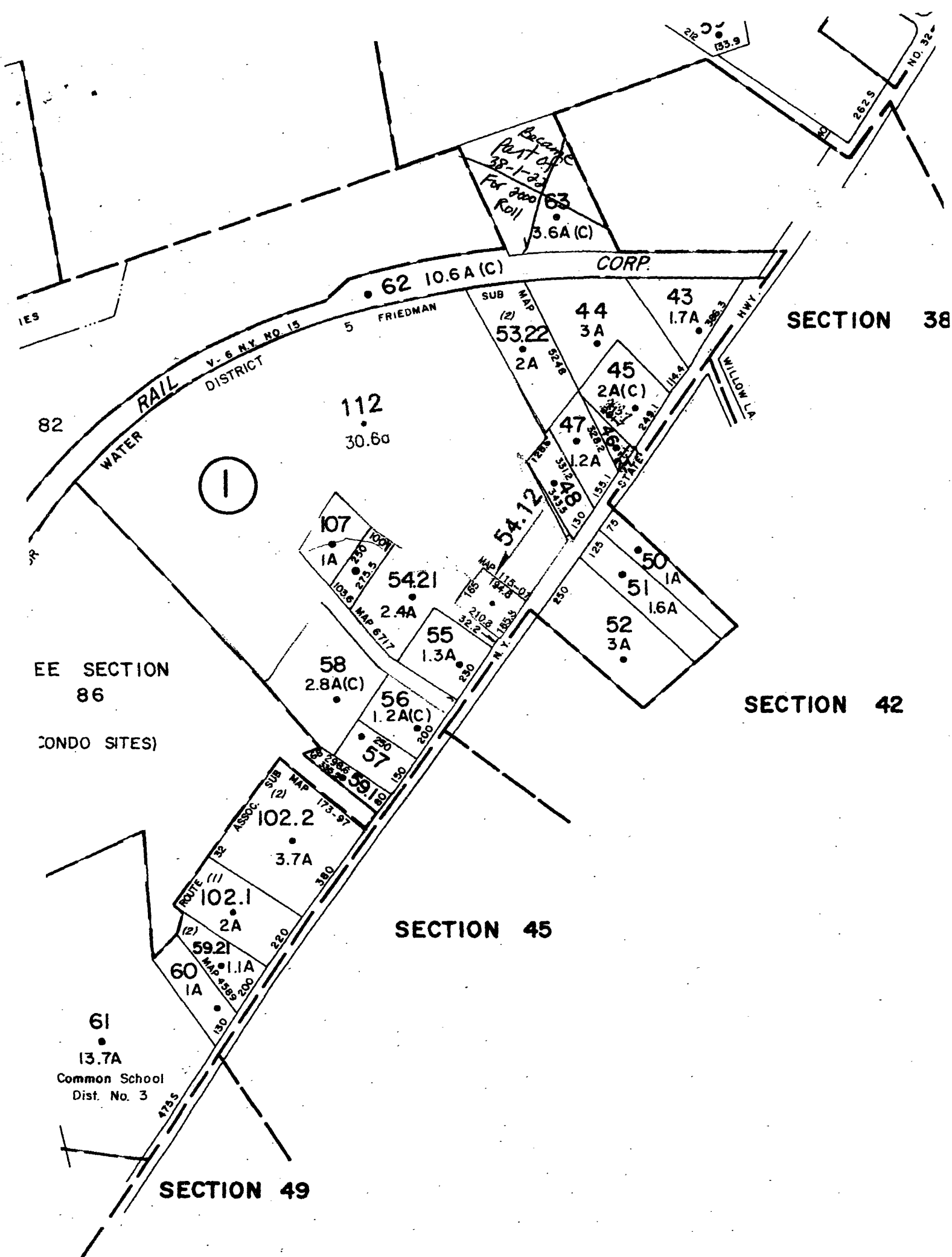
Same as front  
\_\_\_\_\_  
(Owner's Address)

**PLOT PLAN**

**NOTE:** Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



**RECEIVED**



2/25/02 Public Hearing - Hong, In Kee #02-06.

Name:

Address:

STEVE KUPREYCH

279 WINDSOR WAY

FAVORABLE -

---



ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR  
COUNTY OF ORANGE:STATE OF NEW YORK

X

In the Matter of the Application for Variance of

AFFIDAVIT OF  
SERVICE  
BY MAIL

Hong, In Kee

#02-06.

X

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

Rosemarie Mayer

~~PATRICIA A. CORSEFF~~, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at  
7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 12 day of February, 2002, I compared the 19  
addressed envelopes containing the Public Hearing Notice pertinent to this case  
with the certified list provided by the Assessor regarding the above application  
for a variance and I find that the addresses are identical to the list received. I  
then caused the envelopes to be deposited in a U.S. Depository within the Town  
of New Windsor.

Rosemarie Mayer

Sworn to before me this

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public

Date ..... 1/29/02 .....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

Frances Roth  
168 N. Drury Lane  
Newburgh, N.Y. 12550

TO ..... DR.

DATE			CLAIMED	ALI
1/28/02		Zoning Board Mtg	75 00	
		Misc. - 2		
		Blythe - 1		
		Digerata - 5		
		Hong - 3		
		Carlone - 3		
		Imageland - 3		
		Bouaine -	103 50	
		Delaney - 3		
		23	178 50	

HONG, IN KEE

MR. TORLEY: Request for variation of Section 48-18H(b) of the Supplemental Sign Regulations to allow variance of 1.5 ft. height and 6 ft. sign width at Hong's Karate, 280 Windsor Highway (formerly Uncle Chu's) in C zone.

Mr. In Kee Hong appeared before the board for this proposal.

MR. HONG: I'm sorry, I have pictures, this is the--

MR. TORLEY: He's describing photographs of the present situation.

MR. HONG: That sign exists in front of the previous business and now my school would like to put a new sign on there. And that Route 32 and my neighbors, they have all that kind of a signage, the carpet place, I'm sorry you cannot see it, and there's a big sign next to my place, too.

MR. KANE: Facade sign they're going to put?

MR. TORLEY: Replace the Uncle Chu's Restaurant sign.

MR. KANE: Same dimensions?

MR. TORLEY: That sign was not legal, so now they have to--

MR. KANE: Are you going to be using the freestanding sign out front also?

MS. CORSETTI: No, it's not on here.

MR. KANE: Was that removed? There used to be a freestanding sign.

MS. CORSETTI: This is just for facade signs. Michael, doesn't say anything about freestanding.

MR. MC DONALD: Any flashing lights?

MR. HONG: No, not at all, just a simple sign.

MR. TORLEY: Two-sided sign?

MR. HONG: Both sides, yes.

MR. TORLEY: We got the area, he's going to need an area variance too then, Mike, it's two sided.

MR. BABCOCK: If it's a facade sign, why is it two sided?

MR. TORLEY: This is on the building or separate?

MR. HONG: On the building.

MR. TORLEY: Is this sign we're talking about, is it on a pole out in front of the building or on the front of the building?

MR. HONG: No, front, front of the building.

MS. CORSETTI: Mr. Hong was in here once before when he brought in his other request for the other sign at the other karate which is down in the Shop Rite Plaza but he moved.

MR. TORLEY: When you come back for your public hearing, can you bring some lighter photographs, daytime photographs?

MS. CORSETTI: What the sign looks like. Michael, you don't have those, what the sign looks like?

MR. BABCOCK: Now?

MR. TORLEY: Yes.

MR. BABCOCK: I don't think so.

MR. TORLEY: For the public hearing.

MR. KANE: That's fine for the public hearing.

MR. TORLEY: Entertain a motion on this.

January 28, 2002

10

MR. KANE: I move that we set up Mr. Hong for a public hearing on his requested variance for 280 Windsor Highway.

MR. MC DONALD: Second it.

ROLL CALL

MR. KANE	AYE
MR. MCDONALD	AYE
MR. TORLEY	AYE



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessors Office

January 29, 2002

(19)

In Kee Hong  
P.O. Box 914  
Woodridge, NY 12789

Re: 35-1-48

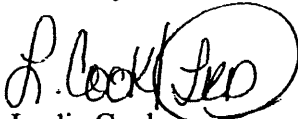
Dear Mr. Hong:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

  
Leslie Cook  
Sole Assessor

LC/lrd

CC: Pat Corsetti, ZBA

35-1-44 ✓  
George Chaleff  
Tracy Allison  
5 Chaleff's Lane  
New Windsor, NY 12553

35-1-45 ✓  
George Ross  
68 HighPoint Circle  
Newburgh, NY 12550

35-1-46 & 35-1-47 & 35-1-53.22 ✓  
Ronald Lander  
Phylis Silver  
12 Cimorelli Drive  
New Windsor, NY 12553

35-1-50 ✓  
Stephen & Faith Kuprych  
279 Windsor Highway  
New Windsor, NY 12553

35-1-51 ✓  
Agnes Cavalari  
89 Bethlehem Road  
New Windsor, NY 12553

35-1-52 ✓  
Scott Rollo  
287 Windsor Highway  
New Windsor, NY 12553

35-1-53.21 ✓  
Joseph Kaufman Properties of New Windsor  
5 Quickway Road Unit 201  
Monroe, NY 10950

35-1-54.1 ✓  
Seymour & Terri Borden  
C/o Carpet Mills Outlet  
294 Windsor Highway  
New Windsor, NY 12553

35-1-54.21 ✓  
Poly Works, Inc.  
P.O. Box 4417  
New Windsor, NY 12553

35-1-55 ✓  
U-Haul International, Inc.  
P.O. Box 29046  
Phoenix, AZ 85038  
Attn: Property Tax Department

42-1-1.1 ✓  
Carlos S. Scheer  
38 Dogwood Hills Road  
Newburgh, NY 12550

42-1-1.21 ✓  
Sabatino & Jennie Martinisi  
273 Windsor Highway  
New Windsor, NY 12553

42-1-1.22 ✓  
Richard Harris  
275 Windsor Highway  
New Windsor, NY 12553

42-1-2 ✓  
Garrison & Bertha Karpoff  
8 Willow Lane  
New Windsor, NY 12553

42-1-3 ✓  
Christopher & Laurie Orr  
10 Willow Lane  
New Windsor, NY 12553

42-1-4 ✓  
Herman & Sally Ingram  
12 Willow Lane  
New Windsor, NY 12553

42-1-13 ✓  
Alfred Jr. & Margherita Prokosch  
293 Windsor Highway  
New Windsor, NY 12553

42-1-14 ✓  
KLJ Corporation  
P.O. Box 4520  
New Windsor, NY 12553

42-1-15 ✓  
Gladys Gorton  
297 Windsor Highway  
New Windsor, NY 12553

Please publish immediately. Send bill to Applicant @ P.O. Box 914  
Woodridge, NY 12789.

**PUBLIC NOTICE OF HEARING**

**ZONING BOARD OF APPEALS**

**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 6

Request of In Kee Hong - Hong's Karate School

for a VARIANCE of the Zoning Local Law to Permit: facade and/or  
freestanding sign w/ more than the allowable  
sign area;

being a VARIANCE of Section 48-18 - Supp. Sign Regs.

for property situated as follows:

280 Windsor Highway, New Windsor

known and designated as tax map Section 35, Blk. 1 Lot 48

PUBLIC HEARING will take place on the 25<sup>th</sup> day of February,  
2002 at the New Windsor Town Hall, 555 Union Avenue, New Windsor,  
New York beginning at 7:30 o'clock P.M.

Lawrence Torley  
Chairman

By: Patricia A. Corsetti, Secy.



TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

# #02-06.

Date: 2/1/02

I. ✓ Applicant Information:

- (a) In Kee Hong, P.O. Box 914 Woodridge, N.Y. 12789 X  
(Name, address and phone of Applicant) (Owner)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ( ) Use Variance (X) Sign Variance
- ( ) Area Variance ( ) Interpretation

III. ✓ Property Information:

- (a) C 280 Windsor Highway 35-1-48. 130X331 ±  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? none
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 12/18/01
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? Yes  
If so, when? See attached.
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A.

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow: \_\_\_\_\_  
(Describe proposal) \_\_\_\_\_

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes \_\_\_\_\_ No \_\_\_\_\_.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance: NA.

(a) Area variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

\* Residential Districts only

\*\* No-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(You may attach additional paperwork if more space is needed)

✓VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section 48-18 H (1)(b) Supp. Sign Regs.

	Requirements	Proposed or Available	Variance Request
Sign 1 - Facade-hgt.	<u>2.5 ft.</u>	<u>4 ft.</u>	<u>1.5 ft.</u>
Sign 1 - " Width	<u>10 ft.</u>	<u>16 ft.</u>	<u>6 ft.</u>
Sign 2 - Free-standing	_____	_____	_____
Sign _____	_____	_____	_____
_____	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

\_\_\_\_\_

\_\_\_\_\_

VII. Interpretation. N/A.

(a) Interpretation requested of New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

(b) Describe in detail the proposal before the Board:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

✓VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or



ZONE. APPLICANT INTENDS TO CONSTRUCT TWO BUILDINGS ON SITE, FRONT PORTION IS FOR RETAIL BUILDING AND REAR PORTION FOR COMMERCIAL BUILDING.

04/14/97-PUBLIC HEARING HELD ON REQUEST OF PETRO METALS, INC. FOR 14 FT. FRONT YARD AND 2 FT. 8 IN. MAXIMUM BUILDING HEIGHT IN ORDER TO CONSTRUCT A WAREHOUSE/STORAGE GARAGE ON THE RIGHT FRONT CORNER OF LOT IN C ZONE. VARIANCES WERE GRANTED ON 04/14/97.

35-1-44 CHALEFF, GEORGE/WENGER, LESLIE SPEC. PERMIT DENIED  
WINDSOR HIGHWAY C ZONE #79-21 12/10/79

REQUEST FOR SPECIAL PERMIT FOR CHANGE OF USE FROM RETAIL TO SANDWICH SHOP IN C ZONE.

# - REQUEST FOR CHANGE OF BUSINESS USE FROM RETAIL TO RESTAURANT (PIZZA AND SANDWICH SHOP). GRANTED ON 2/11/80.

#89-6 - REQUEST FOR USE VARIANCE TO EXPAND HIS AUTOMOTIVE REPAIR SHOP WHICH EXTENDS INTO THE PI ZONE AT 266 WINDSOR HIGHWAY. APPLICANT'S PROPERTY IS ZONED C IN THE FRONT PORTION AND PI TO THE REAR WHERE THE AUTOMOTIVE REPAIR SHOP EXISTS. RESTRICTIONS: HOURS OF OPERATION ARE 9 A.M. TO 5 P.M., MONDAY THROUGH FRIDAY, PLUS 1/2 DAY ON SATURDAY; NO OVERNIGHT, OUTSIDE STORAGE OF VEHICLES OTHER THAN IN THE SPECIFIED PARKING SPACES SHOWN ON PLAN PRESENTED TO BOARD.

35-1-47 LANDER, FRANCIS A. AREA (SIGN) VARIANCE GRANTED  
278 WINDSOR HIGHWAY CZONE #89-7 05/08/89  
REQUEST FOR 5 S.F. SIGN AREA VARIANCE AT WINDSOR HIGHWAY LOCATION.

35-1-48 OSTERHOUT, GILBERT AREA VARIANCE GRANTED  
ROUTE 32-YE PEASANT POT INN #78-29 C ZONE 11/13/78  
REQUEST FOR 1,581 S.F. LOT AREA VARIANCE, 79 FT. LOT WIDTH VARIANCE AND 20 FT. SIDE YARD VARIANCE TO CONSTRUCT RESTAURANT.

#79-15 - REQUEST OF NATALE GAMBINO FOR 134 S.F. SIGN VARIANCE AND SIGN SET BACK OF 15 FT. PROPOSED FREE-STANDING, DOUBLE-FACED SIGN WHICH WILL BE PLACED 10 FT. FROM HIGHWAY AT 280 WINDSOR HIGHWAY.

REQUEST FOR 0 FT. X 15 FT. FOR FACADE SIGN DEPICTING CHINA BUFFET AT 280 ROUTE 32 IN A C ZONE. REQUEST GRANTED ON 04/08/96.

35-1-54 GORDON CARPET OUTLET SIGN VARIANCE GRANTED  
294 WINDSOR HIGHWAY #76-6 C ZONE 04/26/76  
REQUEST FOR 77 S.F. SIGN AREA VARIANCE FOR BUILDING SIGN IN C ZONE. PROPERTY OWNED BY JOHN COAKLEY.

#92-16 - BORDEN, SEYMOUR AREA VARIANCE GRANTED  
CARPET MILL OUTLET C ZONE #92-16 06/22/92  
REQUEST FOR 15.07 FT. BUILDING HEIGHT VARIANCE IN ORDER TO CONSTRUCT AN ADDITION TO THE CARPET MILL OUTLET LOCATED AT 294 WINDSOR HIGHWAY IN C ZONE.

35-1-57 ALFIDI, FRANK/WEINGARTEN USE/AREA VARIANCE GRANTED  
TEMPLE HILL MOTEL #75-15 CZONE 06/23/75  
REQUEST TO CONVERT MOTEL TO MULTI-DWELLING (APARTMENT/HOTEL) USE FOR NON-TRANSIENT SENIOR CITIZENS.

#89-51 - REQUEST OF TERENCE G. HAWLEY OF ECONO LODGE AT 310 WINDSOR HIGHWAY, FOR 152 S.F. SIGN AREA VARIANCE AND 15 FT. SIGN HEIGHT VARIANCE FOR FREE-STANDING SIGN TO REPLACE EXISTING SIGN AT MOTEL SITE IN C ZONE. GRANTED ON 11/27/89.

35-1-59.2 NEW WINDSOR ASSOCS./PONDEROSA AREA VARIANCE GRANTED  
ROUTE 32 478-12 C ZONE FRONT PORTION/R-5 REAR 4/10/78